

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

COURTHOUSE NEWS SERVICE,

Plaintiff,

V.

GEORGE E. SCHAEFER, in his official capacity as Clerk of the Circuit Court for Norfolk, Virginia, *et al.*,

Defendants.

Case No. 2:18-cv-391-HCM

**DEFENDANTS' MOTION TO DISMISS PURSUANT
TO FED. R. CIV. P. 12(b)(3), 12(b)(7), and 21**

Defendants, George E. Schaefer, in his official capacity as Clerk of the Circuit Court for Norfolk, Virginia (the “Norfolk Clerk”), and Jacqueline C. Smith, in her official capacity as Clerk of the Circuit Court for Prince William County, Virginia (the “Prince William Clerk”) (collectively, the “Defendants”), by counsel, respectfully move to dismiss the Complaint filed in this matter pursuant to Fed. R. Civ. P. 12(b)(1), 12(b)(3) (as to the Prince William Clerk only), 12(b)(6), 12(b)(7), and 21. The grounds for this motion are set forth in the memorandum in support filed simultaneously herewith.

Date: August 23, 2018

Respectfully submitted,

GEORGE E. SHAEFER, in his official capacity as
Clerk of the Circuit Court for Norfolk, Virginia

and

JACQUELINE C. SMITH, in her official capacity
as Clerk of the Circuit Court for Prince William
County, Virginia

By: /s/
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of August, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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